

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JONATHAN GARLAND,
Petitioner,

v.

COMMONWEALTH OF VA,
Respondent.

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Civil Action No. 7:12-cv-00165

ORDER

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED** **without prejudice** for failure to exhaust state court remedies; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to petitioner.

Entered: April 13, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge